



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

Dennis H. Treacy
Director

(804) 698-4000
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MINUTES

STATE WATER CONTROL BOARD

April 20, 2000 - House Room D

General Assembly Building

Richmond, Virginia

Board Members Present:

Hunter E. Craig, Chairman

H. Preston Futrell, Jr.

Thomas V. Van Auken

Karl F. Wenger

Lance W. High

Board Members Absent:

Jo Ann Kwong

James V. Couch, Vice-Chairman

Staff Present:

Dennis H. Treacy, Director

Department of Environmental Quality

Cindy M. Berndt

Department of Environmental Quality

Attorney General's Office:

Deborah Love Feild, Assistant Attorney General

- 1) The attached minutes summarize activities which took place at this Board Meeting.
- 2) The meeting was convened at 1:10 p.m. on Thursday, April 20, 2000, voted to go into closed session as 1:10 p.m., returned to open session at 1:42 p.m. and adjourned at 3:15 p.m.



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON APRIL 20, 2000

MINUTE NO. 1 - Closed Session

Pursuant to the provisions of Section 2.1-344 (A) (7) of the Code of Virginia, the Board met in Closed Session to consider the following matters:

LG&E Virginia Water Protection Permit

Pursuant to Section 2.1-344.1 (D) of the Code of Virginia, the Board, by roll call vote, unanimously certified that only those matters identified above, which are lawfully exempted from the requirements of the Freedom of Information Act, were considered during Closed Session.

A handwritten signature in cursive script, reading "Cindy M. Berndt", written over a horizontal line.

Cindy M. Berndt



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PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON APRIL 20, 2000

Minute No. 2 – Issuance of Virginia Water Protection Permit No. 89-0868 to LG&E Westmoreland - Altavista

David Paylor updated the Board on comments received from three State agencies on the proposed issuance of Virginia Water Protection Permit No. 89-0868 to LG & E Westmoreland – Altavista. The proposed action is a modification and reissuance of the existing §401 Certificate that would establish water withdrawal conditions during severe drought. The Board allowed LG&E Westmoreland - Altavista 30 minutes to restate their position and allowed Shelton Miles 15 minutes to restate the position of proponents of the draft permit. Following discussion and questions, the staff made a recommendation to the Board to issue the permit as drafted and public noticed.

Decision

The Board voted 3 to 1 to issue the permit as drafted and public noticed to LG&E Westmoreland - Altavista. Mr. Futrell, Dr. Wenger and Dr. Van Aucken voted aye. Mr. High voted no.

A handwritten signature in blue ink, appearing to read "Larry G. Lawson", written over a horizontal line.

Larry G. Lawson, P.E.

Director

Division of Water Program Coordination